REMARKS

Claims 1, 2, 5-16, 26-28, and 31-36 are pending in the application.

Claims 1, 2, 5-16, 26-28, and 31-36 have been rejected.

Claims 1, 15, 26, and 28 have been amended. Support for the amendments can be found in at least paragraphs [0025]-[0027] of the present Specification.

Rejection of Claims under 35 U.S.C. § 103

Claims 1-2, 5-8, 11-16, 26-28 and 31-34 stand rejected under 35 U.S.C. § 103(a) as purportedly being unpatentable by U.S. Patent No. 7,216,133 issued to Wu et al. ("Wu") in view of U.S. Patent Application Publication 2005/0055523 issued to Suishu et al. ("Suishu"). While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicants have chose to respectfully disagree and traverse the rejection as follows. Applicants reserve the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

Applicants respectfully submit that Claims 1-2, 5-8, 11-16, 26-28 and 31-34 are patentable over the cited passages of Wu and Suishu, taken alone or in any permissible combination, because the cited passages of Wu and Suishu, taken alone or in any permissible combination, fail to disclose (or render obvious) the limitations of amended independent Claims 1, 15, 26, and 28. For example, nothing in the cited passages of Wu and Suishu, taken alone or in any permissible combination discloses (or renders obvious):

in response to receiving, from an application, a write request, generating first and second write transactions, wherein

the first write transaction comprises a first tag, and

the second write transaction comprises a second tag;

transmitting the first and second write transactions to first and second storage devices, respectively[.]

Wu discusses a system and method for synchronizing items at replicas, responsive to an indication that synchronization should be performed. Abstract, Wu. Page 2 of the Final Office Action attempts to analogize "updates to items in column 306 wherein each update has a local_cn in column 308 and a version in column (Figures 3A and 3B and related text)" with the claimed first write transaction that comprises a first tag and the claimed second write transaction that comprises a second tag. However, Wu's updates are "an example of updating a replica, include the local tables, as a result of synchronization" (*emphasis added*). Col. 78, lines 33-35 of Wu.

Even if the analogy of Wu's updates to the claimed first write transaction and the claimed second write transaction were correct (a point which Applicants do not concede), the cited passages of Wu and Suishu, taken alone or in any permissible combination, simply fail to disclose (or render obvious) that Wu's updates are generated "in response to receiving, from an application, a write request," as recited in the amended independent claims, as opposed to a result of synchronization, as discussed in Wu . Thus, the cited passages of Wu and Suishu, taken alone or in any permissible combination, fail to disclose (or render obvious) the limitations of amended Claims 1, 15, and 28. Therefore, independent Claims 1, 15, 26, and 28, and all claims dependent therefrom, are patentable over Wu and

Suishu, taken alone or in any permissible combination. Applicants respectfully request that the rejection be withdrawn.

Claims 9-10 and 35-36 stand rejected under 35 U.S.C. § 103(a) as purportedly being unpatentable by Wu in view of Suishu as applied to Claims 1 and 7 above, and further in view of U.S. Patent 6,088,697 issued to Crockett et al. ("Crockett"). Crockett is not cited as disclosing any of the elements of independent Claims 1, 15, 26, and 28. Thus, Claims 9-10 and 35-36 are also patentable over the cited passages Wu, Suishu, and Crockett, taken alone or in any permissible combination, by virtue of their dependency on allowable independent Claims 1 and 26. Accordingly, Applicants respectfully request that the rejection be withdrawn.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to Deposit Account 502306.

Respectfully submitted,

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